

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
March 4, 2008**

6:30 PM

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
 - A. Acceptance of minutes of a Planning Commission meeting held February 14, 2008
 - B. Approval of the special meeting minutes of February 25, 2008
 - C. Approval of Resolution No. 511 ratifying Entry of Judgment in the case of the City of Broken Arrow, Oklahoma v. Union Pacific Railroad Company, Tulsa County District Court Case Number CJ-2007-8514 and ratifying the execution of all documents to effectuate settlement including a Journal Entry for the Court's approval
 - D. Ratification of a proclamation declaring February 23, 2008 as "Spay Day USA" in the City of Broken Arrow
 - E. Approval of and authorization to execute a Parks and Recreation Use Agreement between the City and the Broken Arrow Girl's Softball League, Inc. (BAGSL), for use of the Youth Softball Fields at the Arrowhead Softball Complex and the Central Park Softball Complex, from the date of execution through December 31, 2008
 - F. Approval of and authorization to execute a Parks and Recreation Use Agreement between the City and the Broken Arrow Youth Baseball Association (BAYBA), for use of the Youth Baseball Fields at Indian Springs Sports Complex, from the date of execution through December 31, 2008
 - G. Approval of and authorization to execute a Parks and Recreation Use Agreement between the City and the Broken Arrow Adult Softball Association (BAASA), for use of the Al Graham Adult Softball Fields at Indian Springs Sports Complex, from the date of execution through December 31, 2008
 - H. Approval of and authorization to execute a Gas Facilities Relocation Agreement with Oklahoma Natural Gas Company (ONG) for relocations along New Orleans Street from Elm Place to 9th and from 9th to 23rd
 - I. Approval of and authorization to execute a Gas Facilities Relocation Agreement with Oklahoma Natural Gas Company (ONG) for relocations along Kenosha Street from 37th to the Creek Turnpike

- J. Approval of and authorization to execute a lease agreement between the City of Broken Arrow and USA Mobility Wireless, Inc. for communications site
 - K. Approval of and authorization to execute an addendum to equipment lease agreement dated August 20, 2007, substituting and deleting one (1) copier
 - L. Approval of SP 223, integrated development identification signs for The Shops at Broken Arrow, 64.80 acres, C-5, east of 9th Street (Lynn Lane/177th East Avenue) and north of the Broken Arrow Expressway.
 - M. Approval of bids received and award of the most advantageous bid to Rocket Construction Services, LLC for Portland Cement Concrete Street Repairs
 - N. Approval of sole source purchase of required upgrade equipment for the 800 MHz radio communications system
 - O. Approval of purchase of video traffic detection equipment for Broadway & Houston intersections on Main St
 - P. Approval of request for water service for temporary construction trailer for expansion project at Tulsa Technology Center located on the Northwest corner of Olive Avenue (129th East Avenue) and Florence Street (111th Street)
 - Q. Acceptance of a Deed of Dedication and a Utility Easement from Michael W. and Patty L. Gauldin (S12 T18N R14E) [Project: Mike's Tire and Automotive)
 - R. Acceptance of a General Warranty Deed From William R. Bryk S07 T18N R15E
 - S. Acceptance of a General Warranty Deed from The Betty Ann Mockley 1992 Revocable Trust Dated October 20, 1992 located approximately 51 feet North & 24.80 feet West of the Intersection of E Kenosha St & N 37 St
 - T. Acceptance of a Temporary Construction Easement from The Betty Ann Mockley 1992 Revocable Trust
 - U. Acceptance of a Temporary Construction Easement from Chester L. & Mary Jane Lanning
 - V. Acceptance of a Temporary Construction Easement From Meadow Homes Land Of Oklahoma, Inc., S23 T18N R14E
 - W. Acceptance of a Permanent Drainage Easement located approximately at the intersection of East Kenosha Street & North 37th Street from The Betty Ann Mockley 1992 Revocable Trust
 - X. Approval of the Claims List
- 6. Consideration of Items Removed from Consent Agenda**
 - 7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**
 - A. Presentation: Approval of and authorization for the Mayor to execute a proclamation declaring March 5, 2008 as 'Dr. Larry B. Williams Day' in the City of Broken Arrow
 - 8. Citizens' Opportunity to Address the Council (approximately 7:00 p.m.)**

9. General Council Business

- A. Consideration and possible approval of Ordinance Number 2936 providing for the issuance of \$10,685,000 General Obligation Bonds Series 2008 by the City of Broken Arrow, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for registration thereof; providing levy of an annual tax for the payment of principal and interest on the same; and fixing other details of the issue and declaring an emergency
- B. Consideration of bids and possible action awarding the sale of \$10,685,000 principal amount of General Obligation Bonds, and authorization to execute the pertinent documents related thereto
- C. Consideration and possible approval to execute Resolution No. 512 - a resolution of Necessity for authority to proceed with Condemnation of property located at 18015 East 101st Street, Broken Arrow, Tulsa County, Oklahoma (New Orleans Street Widening from 9th to 23rd Street)
- D. Consideration and possible approval to execute Resolution No. 513 - a resolution of the City Council of the City of Broken Arrow electing that the powers granted by the Oklahoma Urban Renewal Law, 11 O.S. 2001 Sections 38-101 - 38-123, be exercised by an Urban Renewal Authority; finding that the rehabilitation, conservation, redevelopment, or a combination thereof of blighted areas is necessary and in the interest of the public health, safety, morals and welfare of the residents of such areas; and determining that the exercise of such powers for those purposes is in the public interest
- E. Consideration and possible approval to execute Resolution No. 514 - a resolution establishing the necessity of improvement to stormwater systems of Steeplechase Farms and Amended Glen Eagles Subdivisions and directing the Municipal Engineer to prepare and file preliminary construction plans
- F. Consideration and possible approval of including the President's FY 2009 Budget Proposal into the 2008 Federal Legislative Issues
- G. Consideration and possible approval of proposed amendments to the Broken Arrow Comprehensive Plan related to the East Side Study and the corresponding changes in the Broken Arrow Comprehensive Plan Future Development Guide and Land Use Designations and Land Use Intensity Classifications, for an area east of 23rd Street (County Line Road) and south of Omaha Street (51st Street), north of the Muskogee Turnpike and west of an area one-quarter mile east of Evans Road (225th East Avenue).
- H. Consideration, possible approval of, and authorization to execute Amendment No. 1 to Contract for Economic Development Services with the Broken Arrow Economic Development Corporation
- I. Consideration of nominations to fill two vacancies on the Broken Arrow Board of Adjustment created by the expiring terms of Archer Honea and Dick Baze, whose terms expire May 5, 2008
- J. Consideration and possible approval of 5K Run Road Closings on May 3, 2008 - Albany from Aspen to North 7th Street, West of Lynn Lane, from 7:00 AM until 9:00 AM

10. City Manager's Report

- A. Centennial Clock

11. Preview Ordinances

- A. An ordinance amending the Broken Arrow Code, Chapter 2, Administration, Article I, In General, Section 2-13, Members of Boards and Commissions; repealing all ordinances in conflict herewith, and declaring an emergency
- B. An ordinance amending the Broken Arrow Code, Chapter 14, Municipal Court, Section 14-7, Judge's Term of Office and Educational Requirement; repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- C. An ordinance amending Section 7-211 of the Broken Arrow Code, providing for an increase in ambulance service charges, and repealing all ordinances to the contrary

12. Ordinances

- A. Ordinance No. 2934 - an ordinance amending the Broken Arrow Code, Chapter 16, Offenses - Miscellaneous, Article III., Offenses Against Property, Section 16-57, Buying, receiving, etc., stolen property; repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- B. Ordinance No. 2935 - an ordinance amending Chapter 16, Article I, Section 16-12 of the Broken Arrow Code pertaining to Disturbing the peace; disorderly conduct; repealing all ordinances to the contrary; and declaring an emergency
- C. Ordinance No. 2938 - an ordinance amending the Broken Arrow Code, Chapter 2, Administration, Article I, In General, Section 2-2, Time of Regular City Council Meetings; repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

13. Remarks and Inquiries by Governing Body Members

- 14. Executive Session** for the purpose of confidential communications between the City Council, the City Manager, the Assistant City Manager and the City's Attorney for the purpose of conferring on matters concerning negotiations with employees and representatives of employee groups, specifically the Communication Workers' of America, the Fraternal Order of Police and IAFF under 25 O.S. § 307(B)(2); the purchase and appraisal of real property at Elm Place and the Creek Turnpike and the North Elm Place Right-of-Way from the FAA tower to Omaha Street under 25 O.S. § 307(B)(3); The City of Broken Arrow v. Troy Dwight Cosper, et al., Tulsa County District Court Case Number CJ-2007-6992; The City of Broken Arrow v. Lenard A. Poplin and Rosella C. Poplin, et al., Tulsa County District Court Case Number CJ-2007-07889; The City of Broken Arrow v. Tommy J. Donathan, et al., Tulsa County District Court Case Number CJ-2007-7894; The City of Broken Arrow v. David A. Center v. Lorri S. Center, et al., Tulsa County District Court Case Number CJ-2007-07888; and litigation involving the Double Eagle Refinery Superfund Site, all under 25 O.S. § 307(B)(4). In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process the pending litigation in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

15. Adjournment

NOTICE:

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this ____ day of _____, 2008, at _____ a.m./p.m.

City Clerk